

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD
SUITE 500 EAST
FALLS CHURCH, VA 22042-1210
USA

(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

CALIFORNIA OFFICES:
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD J. GALLAGHER
MARYANNE ARMSTRONG, PH.D.
KECIA J. REYNOLDS
KALPANA REDDY
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER*
MARTIN R. GEISSLER*
J. ALISON GRABELL*
T. BENJAMIN SCHROEDER, PH.D.
PERCY L. SQUARE
CLINT A. GERDINE
CRAIG A. McROBBIE

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
KRISTI L. RUPERT, PH.D.
MATTHEW T. SHANLEY
SUSAN W. GORMAN, PH.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CHRISTINE V. CASTILLO
CARL T. THOMSEN
SAM BHATTACHARYA
BRADLEY C. FACH

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUEL, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALL*
ROBERT A. SELDON*
JOHN A. SCILLIERI*
SANFORD ASTOR*

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY*
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLWEGE
QUENTIN R. "Rick" CORRIE
ROBERT F. GNUSE
DAVID R. MURPHY
PHILIP K. YU*
ROBERT M. ASHEN*
MICHAEL R. CAMMARATA

*ADMITTED TO A BAR OTHER THAN VA.

18334 U.S. PTO
07/14/03

Date: July 14, 2003

Docket No.: 0080-0224P

03807 U.S. PTO
10/617695

07/14/03

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/640,005 filed on August 17,
2000, the entire contents of which are hereby incorporated by
reference, by Nobuaki MINAMI; Kazuya SUZUKI; Yukio ENDO

for

TUBELESS PNEUMATIC TIRE WITH CARCASS HAVING BUTYL-BASED INNER
TOPPING RUBBER LAYER

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

| | BASIC FEE | | LARGE ENTITY | SMALL ENTITY |
|---|-----------------|-----------------|---------------|---------------|
| | NUMBER FILED | NUMBER EXTRA | RATE FEE | RATE FEE |
| TOTAL CLAIMS | 11-20 = | 0 | x 18 = \$0.00 | x 9 = \$0.00 |
| INDEPENDENT CLAIMS | 2-3 = | 0 | x 84 = \$0.00 | x 42 = \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + \$280.00 | + \$140.00 |
| | TOTAL | | \$750.00 | \$0.00 |

3. ☒ A check in the amount of \$750.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/640,005, filed on August 17, 2000, which is a divisional of USP 6,148,889 issued November 21, 2000, which is a divisional of USP 5,971,049 issued October 26, 1999, which is a divisional of USP 5,688,343 issued November 18, 1997, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos. 6-196934 and 7-57747 both filed in Japan on August 22, 1994 and March 16, 1995, respectively under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/640,005, filed on August 17, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/640,005 is the national phase of PCT International Application No. PCT/_____/_____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified

applications are hereby incorporated by reference.
This application also claims priority of Application
No. _____ filed in _____ on _____ under 35 U.S.C. §
119.--

6. ☒ Enclosed is/are twelve (12) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/640,005 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Sumitomo Rubber Industries, Limited.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application Nos. 6-196934 and 7-57747 both filed in Japan on August 22, 1994 and March 16, 1995 respectively, are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on December 20, 1995.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 002292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/640,005 in order to establish co-pendency with the present application.

14. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Andrew D. Meikle, #32,868

ADM/jeb
0080-0224P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 04/30/03)